1	ORDINANCE NO. 2010- 22
2	AN ODDINANCE OF THE BOARD OF COUNTRY
3 4	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING
5	THE HOME RULE CHARTER OF LEON COUNTY, FLORIDA;
6	AMENDING ARTICLE I, CREATION, POWERS AND
7	ORDINANCES OF HOME RULE CHARTER GOVERNMENT;
8	AMENDING SECTION 1.6, RELATION TO MUNICIPAL
9	ORDINANCES, BY ADDING A NEW SUBSECTION (2) TO
0	PROVIDE FOR MINIMUM ENVIRONMENTAL
1	REGULATIONS; PROVIDING FOR A BALLOT QUESTION TO
2	BE POSED TO THE LEON COUNTY ELECTORATE AT THE
3	SPECIAL ELECTION ON NOVEMBER 2, 2010; PROVIDING
4	FOR THE BALLOT QUESTION FORM; PROVIDING FOR
5	FURTHER AUTHORIZATION; PROVIDING FOR
6	SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
7 8	DATE.
9	
20	BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,
21	that:
22	Section 1. Article I, Section 1.6 of the Home Rule Charter of Leon County, Florida,
23	is hereby amended to read as follows:
24	Sec. 1.6. Relation to Municipal Ordinances.
25	(1) Except as otherwise provided by law or this Charter, municipal ordinances shall
26	prevail over County ordinances to the extent of any conflict within the boundaries of the
27	municipality. To the extent that a county ordinance and a municipal ordinance shall cover the
28	same subject without conflict, then both the municipal ordinance and the county ordinance shall
29	be effective, each being deemed supplemental to the other.
30	(2) Minimum Environmental Regulations. County ordinances shall establish
31	minimum standards, procedures, requirements and regulations for the protection of the
32	environment and shall be effective within the unincorporated and incorporated areas of the

County. Such standards, procedures, requirements and regulations shall include, but shall not be

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1	limited to, tree protection, landscaping, aquifer protection, stormwater, protection of
2	conservation and preservation features, and such other environmental standards as the Board of
3	County Commissioners determines to be necessary for the protection of the public health, safety,
4	and welfare of the citizens throughout Leon County. Standards shall be designed to place
5	emphasis on supporting healthy natural systems occurring in the environment. However, nothing
6	contained herein shall prohibit a municipality from adopting ordinances, standards, procedures,
7	requirements or regulations establishing a more stringent level of environmental protection
8	within the incorporated area of the County.
9	Section 2. Ballot Question To Be Presented To Electorate.
10	The proposed amendments to the Home Rule Charter of Leon County, Florida, shall be
11	presented to the qualified Leon County electorate by placing the question of whether to adopt
12	same on the ballot at the special election to be held on November 2, 2010.
13	Section 3. Ballot Question Form.
14	The question on the ballot shall be substantially in the following form:
15 16 17	MINIMUM COUNTYWIDE ENVIRONMENTAL REGULATIONS AS PROPOSED BY THE CITIZEN CHARTER REVIEW COMMITTEE
18	Question
19 20 21 22 23 24	Shall the Home Rule Charter for Leon County, Florida be amended to provide that County ordinances shall establish minimum regulatory standards for the protection of the environment countywide, with an emphasis on supporting healthy natural systems in the environment; effective April 1, 2011?
25 26	Yes for Approval
27 28 29	No for Rejection
30	Section 4. Further Authorization.

1	The Board of County Commissioners of Leon County, Florida, is authorized to adopt all
2	resolutions and take all actions necessary in order for this Charter amendment referendum to be
3	properly placed on the ballot for the special election of November 2, 2010. Said referendum
4	shall be conducted according to the requirements of law governing referendum elections in the
5	State of Florida.
6	Section 5. Severability.
7	If any word, phrase, clause, section or portion of this ordinance shall be held invalid or
8	unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a
9	separate and independent provision and such holding shall not affect the validity of the
0	remaining portions thereof.
1	Section 6. Effective Date.
2	This ordinance shall have effect upon becoming law, but shall be of no further force or
3	effect if the proposed Charter amendments are not duly approved at the November 2, 2010,
4	special election. The amendments to the Home Rule Charter of Leon County, Florida, as
5	proposed by this Ordinance, shall become effective April 1, 2011, if the Charter amendment is
6	approved by a "yes" vote by a majority of those duly qualified electors voting on the question
7	posed at the November 2, 2010, referendum.
8	DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon
9	County, Florida, this 17 <sup>th</sup> day of August, 2010.
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1	LEON COUNTY, FLORIDA
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1 2 3 4 5	By: Nr fledily
5	Bob Rackleff, Chairman
	Board of County Commissioners

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ATTESTED BY:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA
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By: John Stott Diputy Clirk
Clerk
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APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA
By: Well alexander
Herbert W. A. Thiele, Esq.
County Attorney